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Sector # PATENT 144002-2001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant** 

Douglas T. Dieterich

Serial No.

09/862,404

Filed

: May 21, 2001

For

METHOD OF TREATING ANEMIA CAUSED BY RIBAVIRIN

TREATMENT OF HEPATITIS C USING ERYTHROPOIETIN

**ALPHA** 

Group Art Unit

1646

745 Fifth Avenue New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on September 19, 2001.

Grace L. Pan, Reg. No. 39,440
Name of Applicant, Assignee or Registered Representative

September 19, 2001

Date of Signature

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Assistant Commissioner for Patents BOX MISSING PARTS Washington, D.C. 20231

Sir:

This is in response to the "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b) *Filing Date Granted*" ("Notice") mailed September 5, 2001 (copy enclosed). In response, enclosed is an originally executed Declaration for Patent Application and Power of Attorney ("Declaration") and a Verified Statement (Declaration)

Claiming Small Entity Status ("Verified Statement). Also enclosed is a check in the amount of \$65.00 to cover the required surcharge.

A copy of the Notice, Declaration and Verified Statement are all filed in response to the "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R.

1.53(b) Filing Date Granted" mailed September 5, 2001.

The Commissioner is hereby authorized to charge any additionally required fee for consideration, entry and recordal of the Declaration and Assignment or credit any overpayment therein to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP Attorneys for Applicant

By:

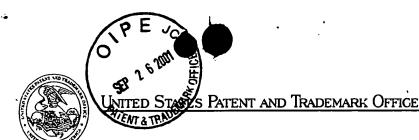
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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/862,404

05/21/2001

Douglas T. Dieterich

144002-2001

20999 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151



Date Mailed: 09/05/2001

#### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

#### FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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